

Christopher M. Humes, Esq., Nevada Bar No. 12782  
William D. Nobriga, Esq., Nevada Bar No. 14931  
BROWNSTEIN HYATT FARBER SCHRECK, LLP  
100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106  
Telephone: (702) 382-2101  
Facsimile: (702) 382-8135  
Email: [chumes@bhfs.com](mailto:chumes@bhfs.com)  
[wnobriga@bhfs.com](mailto:wnobriga@bhfs.com)

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

BOARD OF TRUSTEES OF THE  
ELECTRICAL WORKERS HEALTH AND  
WELFARE TRUST; BOARD OF  
TRUSTEES OF THE ELECTRICAL  
WORKERS PENSION TRUST,

Plaintiffs,

vs.

MC4 CONSTRUCTION, LLC, a Nevada  
limited liability company,

Defendant.

Case No. 2:24-cv-01338-APG-EJY

**JOINT STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**(SECOND REQUEST)**

Plaintiffs, Boards of Trustees of the Electrical Workers Health and Welfare Trust and the Electrical Workers Pension Trust (the “Trust Funds”), through its counsel of record Brownstein Hyatt Farber Schreck, LLP, and Defendant MC4 Construction LLC (“MC4”), through its counsel of record Snell and Wilmer LLP, hereby stipulate to extend the current discovery deadlines by thirty (30) days, pursuant to Local Rule IA 6-1 and 6-2, and Local Rule 26-3, as follows:

**A. DISCOVERY COMPLETED TO DATE:**

- On October 3, 2024, the Trust Funds served initial disclosures.
- On October 4, 2024, the MC4 served initial disclosures.

1           3.       On November 20, 2024, the Trust Funds served their first requests for production  
2 of documents and first set of interrogatories.

3           4.       On January 3, 2025, MC4 served responses to the Trust Funds' requests for  
4 production and interrogatories.

5           5.       On January 6, 2025, MC4 served supplemental responses to the Trust Funds'  
6 requests for production and interrogatories.

7 **B.     DISCOVERY THAT REMAINS TO BE COMPLETED:**

8           The Trust Funds and MC4 still need to conduct depositions of relevant witnesses,  
9 including the person most knowledgeable of the parties pursuant to Federal Rule of Civil  
10 Procedure 30(b)(6). The parties also may serve additional requests for written discovery.

11 **C.     REASON DISCOVERY WAS NOT COMPLETED:**

12           Pursuant to LR 26-3(c), the parties describe why they have good cause for a 30-day  
13 extension to conduct this remaining discovery:

14           The Trust Funds brought a claim in this action to compel MC4 to produce certain  
15 documents. Through its initial disclosures and discovery responses, MC4 has produced the vast  
16 majority of the relevant documents. On February 3, 2025, the parties filed a stipulation requesting  
17 a 14-day extension to the discovery deadlines, which was granted by the Court the same day. (*See*  
18 ECF Nos. 13 and 14.) The parties were hopeful that they could amicably resolve any findings  
19 revealed by the forthcoming audit without court intervention. In an effort to conserve resources,  
20 the parties had planned to stay this action and refrained from engaging in certain discovery, given  
21 that the parties believed this case could be settled. Unfortunately, through a series of meet and  
22 confers and email correspondence, the parties have realized that they have a dispute about the  
23 contractual interpretation regarding one of the relevant collective bargaining agreements. While  
24 both parties acted in good faith and thought the likelihood of resolution was promising, that is not  
25 the case and the parties are electing to proceed in litigation.

26           As a result, the parties have some remaining discovery needs. The parties are confident  
27 that with an additional thirty (30) days, they can complete discovery. This request is not made for  
28

the purposes of delay. Instead, because the parties shared a good faith belief that this matter could be resolved, but were ultimately not correct, the parties are requesting an additional thirty (30) days to complete discovery in this matter.

**D. CURRENT DISCOVERY SCHEDULE:**

- |    |                                |                |
|----|--------------------------------|----------------|
| 1. | New Discovery Cutoff:          | March 19, 2025 |
| 2. | New Dispositive Motion Cutoff: | April 18, 2025 |
| 3. | New Pretrial Order Cutoff:     | May 16, 2025   |

**E. ~~PROPOSED~~ DISCOVERY SCHEDULE:**

- |    |                                |                |
|----|--------------------------------|----------------|
| 1. | New Discovery Cutoff:          | April 18, 2025 |
| 2. | New Dispositive Motion Cutoff: | May 16, 2025   |
| 3. | New Pretrial Order Cutoff:     | June 13, 2025  |

///

///

///

4. In the event dispositive motion(s) are filed, the date for filing the joint pretrial order shall be suspended until 30 days after the Court enters a ruling on the dispositive motions, or otherwise by further order of the Court.

Dated: February 24, 2025.

SNELL & WILMER, LLP

BROWNSTEIN HYATT FARBER  
SCHRECK, LLP

By: /s/ Paul S. Prior

By: /s/ Christopher M. Humes

Paul S. Prior, Esq.  
NV Bar No. 9324  
Theresa C. Trenhold, Esq.  
NV Bar No. 16460  
1700 South Pavilion Center Drive, Suite 700  
Las Vegas, Nevada 89135

Christopher M. Humes, Esq.  
NV Bar No. 12782  
William D. Nobriga, Esq.  
NV Bar No. 14931  
100 North City Parkway, Suite 1600  
Las Vegas, Nevada 89106-4614

Attorneys for Defendant

Attorneys for Plaintiffs

**ORDER**

**IT IS SO ORDERED.**

  
UNITED STATES MAGISTRATE JUDGE

**DATED:** February 24, 2025

**Case No. 2:24-cv-01338-APG-EJY**